SINGLE BENCH

(5)

CF/00/L

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. _____/2006

PETITIONER: Narmada Prasad Mishra, son of Late R.P. Mishra, aged about 54 years, resident of 28/471, Shriram Nagar, Phase-II, Raipur.

Vs

RESPONDENTS:

1. State of Chhattisgarh Through; the Secretary, Ministry of School Education, D.K.S. Bhawan, Raipur.
2. The Collector, Raipur.
3. The District Education Officer, Raipur.
4. Shri Pankaj Nirmalkar, Corporator, Dr. Rajendra Prasad Ward, Municipal Corporation, Raipur & President of Janbhagidari & Vikas Samiti, Fundhar, Raipur.

P.R. No. 4634 of 06
Presented by Shri NP Kosta
dated 24/8/06

RECEIVED-COPY
CLERK to A.G. BILASPUR
24.8.06

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA.

XI-HC-78

(58)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP(S) 4597 **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

30-8-2006

Mr. B.P. Sharma, counsel for the petitioner.

Mr. Vinay Pandey, Panel Lawyer for the State/respondents No.1 to 3, on advance copy.

Heard both the counsel.

By the instant writ petition under Articles 226 & 227 of the Constitution of India, the petitioner has challenged his transfer order dated 14-8-2006 (Annexure P-1), whereby he has been transferred from Govt. Middle School, Fundhar, Raipur to Govt. Higher Secondary School, Rohansi, Block: Palari, District: Raipur.

The case of the petitioner is that he is holding the post of Head Master, Govt. Middle School, Fundhar. The petitioner while discharging his duties as Head Master, has been attached with the Continuous Education Programme of the State known as 'Satat Shiksha Abhiyan' and has further been attached with the District Literacy Committee Office, Raipur as Project Officer. Copy of the order to this effect is Annexure P-4. It is the apprehension of the petitioner that he has become victim of the dispute between two agencies of the State as a result of which he has been transferred by the impugned order which is mala fide and arbitrary.

In the circumstances, learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 and respondent No.1 be directed to decide the same to which learned counsel appearing for the State/respondents No.1 to 3 has no objection.

P.T.O.

XI-HC-78

(57)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP(S).4597.... **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merit of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances, annexing a copy of this writ petition and its annexures to respondent No.1 within 10 days from today and in turn, respondent No.1 is directed to decide the representation of the petitioner within a period of 30 days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3554/2006 also stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

P.T.O.

19.6.06